

Date: August 10, 2011

### **Summary of the August 9, 2011 Charter Review Committee Meeting**

The prepared agenda for this meeting include the following items: appointing a Committee Chair and Vice-Chair, and outlining a work plan and process for the Committee.

#### Chair Positions

Bill Stewart was nominated and accepted the position of Committee Chair. Bill's past experience as a member of the last chart review committee was cited as of the strongest factors that qualified him to head the current committee. Riley Walter was nominated and accepted the position of Vice-Chair and Scribe.

#### Committee Work Plan and Process

Mark Scott advocated that a plan should be formulated on how the Committee will go about completing its work. Initially the Committee discussed whether they could expand the scope of their authority beyond the 23 agenda items originally presented by the Mayor and the Council. The Committee agreed that they had such authority given the provision in organizing documents established that new items could be presented to the Committee by a 2/3 vote. Jerry Duncan raised an interesting point in whether the Committee should entertain removing certain items from the current charter because the 23 agenda items seeks only to add or modifying existing provisions. Bill Stewart expanded on this point by stating that the Committee should seek to increase the readability of the City's Charter. As an example of an efficient public document, he explained that Iowa's Education Code is only thirty pages long. However, no decision was made regarding the removal of certain Charter items.

#### *Council and Mayor Involvement*

The discussion on formulating a work plan began with Mark Scott presenting two questions to the committee. Did the committee prefer to simply jump right to the 23 issues presented by Mayor and Council or should the Committee take the first couple meetings to establish a foundation of background information on general principles and philosophies of governance? The Committee gravitated toward the latter option. To help the Committee establish this philosophical background, Nick Webber proposed that the decision makers involved with creation of this committee present their intent and rational for drafting the 23 charter review issues. The Committee decided that the Mayor and all of the Councilmembers should be given an opportunity to provide testimony regarding his or her motivations or interpretation of the various review issues that he or she included. The objective would be that the Mayor and Council could provide context to the various items up for review. Given the high degree of interest in the subject by the Mayor and the Council, the Committee would seek to provide each speaker an adequate amount of time to engage the Committee. Over the next two or three committee meetings, a small group of council members and the mayor would be

schedule to provide a statement and field questions presented by the Committee. Mark Scott informed the Committee that Council Member Borgeas would be out of the country until the first week in September. With this information, the Committee was of the opinion that Councilmember Borgeas should be given an opportunity to present his opinion given his involvement and commitment to the charter review process. To avoid a potential Brown Act conflict, the Committee decided that it would be best to have the Councilmembers speak in groups of four or less. At the next meeting, the Committee would like to hear from the Mayor and if possible some member of the City Council. Mark Scott informed the Committee that he and the Mayor had a scheduling conflict the Tuesday of the next meeting. Jeff Reid also expressed that he would be unable to attend the next meeting. Given these conflicts, the Committee agreed that the next scheduled meeting would be held on Monday, August 22. This scheduling change would apply solely to the next meeting, after which the Committee will resume conducting its meetings on Tuesday as previously decided.

### *Policy versus Administrative Issues*

The Committee briefly discussed distinguishing items in the Charter Review Agenda that appears to be solely policy commitments rather than administrative processes. The Committee expressed that their focus should be on those items that relate directly to the administration of city government because these items could be presented for voter approval. They further questioned the validity of tackling policy issues because such items could not be presented to the voters, and were better addressed through legislative acts by the Council, and a suspicion that such policy items seek to protect certain programs from being eliminated by future councils. The Committee expressed it was not interested in protecting these so called "sacred cows."

### *Lack of Diversity*

A major concern was raised by a member of the public during the last meeting that the composition of the Committee does not reflect the diverse populace of the City of Fresno. The Committee took this criticism seriously. A significant portion of this meeting revolved around how to include various minority groups/organizations in the process and how to encourage public participation. Jared Gordon proposed that the Committee hold a number of meetings at high schools or libraries located across the city. He asserted that the public participation can best be achieved by the Committee reaching out to those neighborhoods that have not been traditionally active in the political process. Bill Stewart countered with his belief that the City Hall was the most appropriate venue for future Committee meetings. He explained that City Hall houses the necessary support staff to facilitate Committee business, that discourse with the various community interests groups could be conducted more effectively at a central location, and City Hall provides a consistent and easy to locate venue. A major concern raised by having standalone committee meetings at various high schools or other public locations was the danger of an apathetic public turnout. Jerry Duncan presented an alternative in that the Committee could piggyback on scheduled council district neighborhood meetings. The Committee responded positively to this idea. It was the shared belief of the Committee that a council district meeting would provide the greatest turnout because the agenda of a council district meeting would discuss items of interest for residents of that district. To facilitate these onsite

meetings, the Committee asked Mark Scott to coordinate with the various councilmembers regarding their district meeting schedule.

The next question posed to the Committee was how to best incorporate the opinions and perspective of the various community groups and the public as whole. The Committee discussed whether public opinion should be sought earlier on in the process and incorporated in the Committee's decision making process at the beginning, or whether the Committee should approach the public after the Committee has made some initial findings and can present the public with a number of substantive decisions. Jared Gordon expressed that there is a real danger of not adequately incorporating the interest expressed by minority organizations and the public if the Committee adopts the latter opinion because the Committee would be asking the public here is our decision now convince us to change it. Although the Committee discussed Mr. Gordon's concerns, no real stance on this issue was adopted by the Committee. It appeared that the Committee would prefer to hear from the Mayor and the Councilmember first so that the Committee can put the charter review agenda items in context before they seek outside opinions on this matter. Bill Stewart concluded the Committee's discussion on improving the presence of diversity by requesting the various members to generate a list of community and minority groups that Committee should reach out to. Examples of such groups described by Bill Stewart included: the NCAAAP, minority focused chambers of commerce, the Women's League of Votes, community groups, Tax Payer Association, and various political groups.

#### *Addressing the Various Acts/Policies Discussed in the Charter Review Agenda*

The Committee was provided with a packet which included information on the Better Business Act, Debt Management Policies, and the Labor Management Act. Mark Scott was asked if his office completed an annual report on any of these acts. The Committee requested this information so that they would have a better understanding of these acts to that the can intelligently discuss them. He explained that office had not completed any such reports given the financial and staffing constraints on his office. Another difficulty the City Manager's office encountered was that some of these Acts are in process and the City is still trying to figure how to implement some of these Acts. However, an annual report on the Better Business Act was scheduled to be completed next month.

The Committee concluded its discussion on formulating a work plan by identifying the necessity in establishing a deadline to conclude its business. Because the end result of the charter review process is to present a ballot item to the voters, the Committee decided it should seek to conclude its work in time for such initiative to be placed on the next significant election ballot. Jim Sanchez informed the Committee that the next target election would the primary election in June 2012. To make this ballot, the Committee would likely have to present its findings to the Council by the end of January or beginning of February. If the primary ballot is missed, the next target date would be the general election in November 2012.

#### Public Comment

Ryan Dunning, a representative from California's for Electoral Reform, advocated that he would like the Committee to entertain certain election reforms like instant run off voting and a ranked voting method for electing City Council Members. The Committee appeared to be interested and requested Mr. Dunning to prepare written document explaining this organization's position.

Next Meeting: Monday, August 22 at 5:30pm

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